

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

LEGATUS, et al.,

Plaintiffs,

v.

Case No. 12-12061

KATHLEEN SEBELIUS, et al,

Defendants.

/

**ORDER DENYING DEFENDANTS' MOTION FOR A STAY OF BRIEFING
AND PLAINTIFF LEGATUS' MOTION FOR TEMPORARY RESTRAINING ORDER**

On October 3, 2013, the court ordered Defendants to submit a statement of clarification regarding their motion for a stay of briefing. Defendants filed a statement of clarification addressing the court's questions. Having reviewed Defendants' statement, and being mindful of various unabated deadlines the government has imposed upon Plaintiff, of which Plaintiff complains, the court is not persuaded that a stay of briefing is necessary or wise.

Plaintiff Legatus responded to Defendants' motion for a stay of briefing with a combined brief opposing Defendants' motion and moving for a temporary restraining order (TRO). First, the court notes that its practice guidelines state that "[u]nder no circumstances may a motion be included within or tacked onto a response or a reply." [http:// www.mied.uscourts.gov/ Judges/ guidelines/ topic.cfm?topic_id=69](http://www.mied.uscourts.gov/Judges/guidelines/topic.cfm?topic_id=69) (last visited Oct. 4, 2013) (the rendering of this URL contains spaces). In any event, because the TRO was predicated on Defendants' motion for a stay of briefing, which is denied, the motion for TRO is denied. Accordingly,

IT IS ORDERED that Defendants motion for a stay of briefing, [Dkt. # 70], is DENIED.

IT IS FURTHER ORDERED that Plaintiff Legatus' motion for temporary restraining order, [Dkt. # 71], is DENIED.

Finally, IT IS ORDERED that to compensate for the time required to resolve these motions, Defendants are DIRECTED to file their response brief by **October 7, 2013** and Plaintiff Legatus is DIRECTED to file its reply brief by **October 21, 2013**.

s/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: October 4, 2013

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, October 4, 2013, by electronic and/or ordinary mail.

s/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522